

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

x

ERNESTO and DIANA MIRANDA,

**RULE 7.1 DISCLOSURE
STATEMENT**

Plaintiffs,

Civil Action No.: 08 CV 5491 (SAS)

- against -

ABEX CORORATION, et al.

Defendants.

x

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, and to enable Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for International Business Machines Corporation certifies that there are no corporate parents, affiliates and/or subsidiaries of said party which are publicly held.

Dated: New York, New York
August 15, 2008

Yours, etc.,

AARONSON RAPPAPORT FEINSTEIN &
DEUTSCH, LLP

By: Elizabeth M. Young

Elizabeth M. Young (EMY 3683)

Attorneys for Defendant

INTERNATIONAL BUSINESS MACHINES
CORPORATION

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ALL COUNSEL ON SERVICE LIST

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
ss.:
COUNTY OF NEW YORK)

HOLLY BASKURT, being duly sworn, deposes and says: that deponent is not a party to the action, is over 18 years of age and resides at Nassau County, New York.

That on the 19th day of August, 2008, deponent served the within RULE 7.1 DISCLOSURE STATEMENT on behalf of defendant, INTERNATIONAL BUSINESS MACHINES CORPORATION ("IBM"), upon:

LEVY PHILLIPS & KONIGSBERG, L.L.P
Attorney for Plaintiffs
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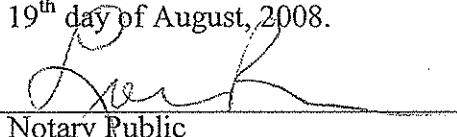
ALL COUNSEL ON ATTACHED SERVICE LIST

at the address designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office within the State of New York.



HOLLY BASKURT

Sworn to before me this
19th day of August, 2008.



Notary Public

LORRAINE PUGNI
NOTARY PUBLIC - State of New York
No. 01PU6048365
Qualified in Bronx County
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AARONSON RAPPAPORT FEINSTEIN & DEUTSCH, LLP

Defendants

INTERNATIONAL BUSINESS MACHINES CORPORATION

Office and Post Address

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212-593-6700

To: ALL PARTIES
